

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant : John Harra
Title : APPARATUS FOR PROCESSING,
STORING, AND DISPENSING
SOFT SERVE FROZEN FOOD
PRODUCT
Application No. : 10/552,561
Filing Date : October 11, 2005
Art Unit : Unknown
Examiner : Unknown
Attorney Docket No. : JH-1PCT

March 29, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Information Disclosure Statement

Applicant is submitting the enclosed documents pursuant to 37 CFR §1.56.
Applicant requests that the Examiner consider these documents in the course of
examining the application identified above, make them of record in the Patent and
Trademark Office file, and have them printed on the face of any patent issuing from this
application. Filled-out Forms PTO/SB/08A and PTO/SB/08B are enclosed.

Discussion

The enclosed documents comprise (1) a PCT International Search Report, issued in the PCT International Application No. PCT/US04/11484, a PCT counterpart of this application, (2) a PCT International Search Report, issued in the PCT International Application No. PCT/US05/36284, and (3) an EPC Article 96(2) Communication issued in an EPO counterpart of this PCT application. Copies of the documentation cited in the PCT International Search reports and the EPC Communication are enclosed.

In addition to the Search Reports and the cited documentation, Applicant would also like to bring to the attention of the Examiner some additional documentation, copies enclosed, that has come to Applicant's attention.

Stalkup US Patent 2,784,565 refers to a recirculation conduit 15 connected to a freezer cylinder 1. Clifford US Patent 3,050,960 refers to circulation of ice cream in a freezing cylinder 10 when an outlet orifice 41 is closed. See arrow B in Figure 3. Kress et al. US Patent 5,615,559 refers to a freezing system that has a recirculation arrangement 12 for a freezing cylinder 14.

The Gerber Published Patent Application US2003/0012864 refers to a product blender and dispenser that includes an ingredient storage and delivery module 12 added to a commercially available confection freezer and dispenser assembly 11. The module 12 includes a sanitizer supply 16. Togashi et al. US Patent 4,703,628 mentions a cleaning circuit 120 shown in Figure 9, hot water cleaning in column 3, lines 1-5, and heat sterilization in column 3, lines 6-11, in an apparatus for preparing frozen products. Iles US Patent 4,758,097 shows a cleaning solution container 41 in Figure 1 used to clean a device for producing frozen confection foods. See, for example, column 7, lines 5-12.

Aoki et al. US Patent 4,860,550 refers to cleaning an apparatus for preparing ice creams with heat, sterilizing agents, and hot water. See, for example, column 10, line 36, through column 24, line 12. This patent also refers four flavors of ice cream produced from two freezing cylinders 9 and four flavor tanks 4. Kusano et al. US Patent 5,158,506 refers to heat pasteurization of the freezing cylinders of an ice cream manufacturing apparatus and cleaning of that apparatus with water. See, for example, column 4, lines 42-65, and column 12, line 51, through column 13, line 35, of the Kusano et al. patent. Ahnell et al. US Patent 5,229,150 refers to a food processing apparatus having a food path that does not have locations where food can be trapped that provide a haven for bacterial growth. See, for example, column 5, lines 18-27.

Kortschot US Patent 5,356,648 refers to frozen desserts with flavor strands. See, for example, the first paragraph in column 1. Van Der Merwe et al. US Patent 6,145,701 refers to an arrangement for adding solid toppings to soft serve product dispensed from a soft serve machine.

Meserole et al. US Patent 6,494,055 and Beck et al. US Patent 6,490,872 deal with a frozen food dispensing machine having clean in place features. See, for example, clean in place mode 240 in Figures 15, 16, and 21. See also the “Clean-In-Place” sections, in columns 13 through 15 and columns 24 through 26 of each patent.

Applicant believes that none of the documentation, considered singly or in combination, shows or suggests the claimed invention.

Respectfully submitted,



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Substitute for form 1449/PTO

Complete if Known

Application Number	10/552,561
Filing Date	April 13, 2004
First Named Inventor	John Harra
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	JH-1PCT

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 3

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 2003/0071055 A1	04-17-2003	Johnson	See discussion in IDS
		US- 2003/0012864 A1	06-16-2003	Gerber	See discussion in IDS
		US- 2004/0118291 A1	06-24-2004	Carhuff et al.	See discussion in IDS
		US- 2,784,565	03-12-1957	Stalkup	See discussion in IDS
		US- 3,050,960	08-28-1962	Clifford	See discussion in IDS
		US- 3,898,859	08-12-1975	Duke	See discussion in IDS
		US- 4,703,628	11-03-1987	Togashi et al.	See discussion in IDS
		US- 4,758,097	07-19-1988	Iles, Sr.	See discussion in IDS
		US- 4,860,550	08-29-1989	Aoki et al.	See discussion in IDS
		US- 5,016,446	05-21-1991	Fiedler	See discussion in IDS
		US- 5,158,506	10-27-1992	Kusano et al.	See discussion in IDS
		US- 5,229,150	07-20-1993	Ahnell et al.	See discussion in IDS
		US- 5,356,648	10-18-1994	Kortschot	See discussion in IDS
		US- 5,400,614	05-28-1995	Feola	See discussion in IDS
		US- 5,419,150	05-30-1995	Kaiser et al.	See discussion in IDS
		US- 5,433,084	07-18-1995	Kaiser et al.	See discussion in IDS
		US- 5,615,559	04-01-1997	Kress et al.	See discussion in IDS
		US- 5,727,713	05-17-1998	Kateman et al.	See discussion in IDS
		US- 5,799,832	09-01-1998	Mayo	See discussion in IDS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/552,561
		Filing Date	April 13, 2004
		First Named Inventor	John Harra
		Art Unit	Unknown
		Examiner Name	Unknown
Sheet 3	of 3	Attorney Docket Number	JH-1PCT

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		PCT International Search Report, issued in the PCT International Application No. PCT/US05/36284	
		PCT International Search Report, issued in the PCT International Application No. PCT/US04/11484	
		EPC Article 96(2) Communication issued in an EPO Application No. 04 759 525.1 - 2114	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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